

ENTERED

October 24, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KENT VU PHAN,

Plaintiff,

v.

THE AURORA MEDICAL CENTER OF
COLORADO, *et al.*,*Defendants.*§
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CIVIL ACTION NO. 4:22-CV-4036

ORDER ADOPTING MEMORANDUM AND ORDER

Pending before the Court in the above referenced proceeding is Plaintiff's Motion to Proceed in forma pauperis (Doc. No. 6); Magistrate Judge Sheldon's Memorandum and Recommendation (Doc. No. 63) that Plaintiff's motion be dismissed as not complying with the Court's Order (Doc. No. 57) to seek permission of the Court prior to any filings. Plaintiff has filed Objections (Doc. No. 65) to the Memorandum and Recommendation and subsequently filed a Motion to Obtain Permission to file Objection (Doc. No. 66).

While Plaintiff did not seek judicial permission prior to filing his objections, the Court will grant Plaintiff's Motion to Obtain Permission to file Objection (Doc. No. 66). The Court has carefully reviewed, *de novo*, the filings, the applicable law, the Magistrate Judge's Memorandum and Recommendation, and the objections thereto. Accordingly, it is hereby

Ordered that the Plaintiff's Application to Proceed without prepaying fees or costs is denied.

SIGNED this 23rd day of October 2023.



Andrew S. Hanen
United States District Judge